

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Dossie T. Gray

Docket No. 5:11-MJ-1299-1

Petition for Action on Probation

COMES NOW Matthew Smith, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Dossie T. Gray, who, upon an earlier plea of guilty to Driving While Impaired (Level-3) in violation of 18 U.S.C. § 13 assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable James E. Gates, U.S. Magistrate Judge, on July 13, 2011, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
2. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office
3. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 30 days as arranged by the probation office. This term is to be served immediately.
4. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On August 11, 2011, the defendant was released from custody after serving the 30 day sentence ordered by the court as a condition of probation. On August 12, 2011, she reported to the probation office. Ms. Gray was observed operating a motor vehicle as she left from the probation office and admitted to driving a vehicle with no license. As a sanction for this violation, it is recommended that she complete 24 hours of community service work.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Matthew Smith
Matthew Smith
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: August 26, 2011

ORDER OF COURT

Considered and ordered this 26th day of August, 2011, and ordered filed and made a part of the records in the above case.


James E. Gates
United States Magistrate Judge